

¹ The United States' motion to dismiss addresses the first four § 2255 claims only.

For these reasons, it is hereby **ORDERED** as follows:

1. The United States' Motion to Dismiss (ECF No. 1012) is TAKEN UNDER ADVISEMENT;
2. The United States shall RESPOND to claims five through seven within twenty-one days;
3. The defendant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 will be subject to an evidentiary hearing before the undersigned, presently limited to the issue about a notice of appeal;
4. The clerk will arrange the appointment of counsel for defendant for the hearing;
5. The clerk will schedule the hearing and will arrange for the defendant to appear at the hearing by video conference from his place of incarceration; and
6. The clerk will send copies of this Order to the defendant and to appointed counsel.

ENTER: October 16, 2018

/s/ James P. Jones
United States District Judge